

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

6 ePLUS, INC. : Civil Action No.
7 vs. : 3:09CV620
8 LAWSON SOFTWARE, INC. : April 4, 2011

11 COMPLETE TRANSCRIPT OF ORAL ARGUMENT
12 BEFORE THE HONORABLE ROBERT E. PAYNE
13 UNITED STATES DISTRICT JUDGE

APPEARANCES:

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1 with it, they're infringers so they just have to live with it,
2 when you look at the cases on that, when it's not a willful
3 infringer -- and Lawson is not a willful infringer. There's no
4 evidence we were even aware --

5 THE COURT: They dropped the claim of willfulness.

6 MR. McDONALD: Pardon?

7 THE COURT: The dropped the claim of willfulness.

8 MR. McDONALD: That's right, because there wasn't any
9 evidence to support a claim of willfulness. The evidence
10 showed that there was no notice of the patents involved in this
11 case until they dropped the complaint on Lawson in May of 2009.

12 By then, we had a vast majority of our RSS and
13 Punchout customers already on board using our systems, and were
14 we supposed to drop everything right then because they sued us?
15 Well, I do think the verdict shows that there were open issues
16 because the core procurement system was found not to infringe,
17 and Lawson shouldn't have been expected just to drop even its
18 core procurement system back in May of '09 just because ePlus
19 was making an accusation that turned out to not have support.

20 It was an issue as well as the validity of the patent
21 with the ongoing reexams. Lawson had a right to contest these
22 issues and see if it could forego the need to have to go
23 through redesigning its products and everything that would have
24 to do with a changeover here. We're at that point now, and
25 they're working on it, the changeover now.

1 Now we know what we have to change over because of
2 the jury's verdict specific to the RSS and Punchout, not the
3 core. They are working on all that stuff, but the idea that
4 the customers in 2002 up through 2009 even are somehow ones
5 that, well, we'll just have to live with it, it doesn't matter
6 if anybody is hurt, we don't have to care about it because
7 Lawson is an infringer anyway, there isn't case law to support
8 that.

9 Now, the *Hynix* case talks a little bit about --

10 THE COURT: Mr. Robertson says if this matter is
11 resolved as you say, it's just open season for infringers, they
12 can get by with anything because all they get is a little smack
13 on the wrist. What do you say about that?

14 MR. McDONALD: For one thing, they haven't identified
15 anybody else. The patents have been out there now since 1994.
16 You think if anybody else was infringing, they would have done
17 something about it.

18 THE COURT: That's not what he's talking about. He's
19 talking as a general principle of law that serving up this kind
20 of result in this kind of case would eviscerate the
21 effectiveness of the patent, of the patent protection system
22 envisioned by Congress.

23 MR. McDONALD: Not at all. Basically that's saying
24 ignore eBay®, just give us an injunction because of a general
25 principle. If eBay® stands for anything, it's the idea that